

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LEWIS BOGGS, :  
Petitioner, :  
v. Case No. 3:14-cv-34-KRG-KAP  
GERALD ROZUM, SUPERINTENDENT, :  
S.C.I. SOMERSET, :  
Respondent :  
:

Memorandum Order

Petitioner's petition for a writ of habeas corpus was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636, and Local Civil Rule 72.

The Magistrate Judge filed a Report and Recommendation on January 5, 2017, ECF no. 21, recommending that the petition be denied. The petitioner was notified that pursuant to 28 U.S.C. § 636(b)(1) he had fourteen days to file written objections to the Report and Recommendation. After an extension of time, petitioner filed timely objections, ECF no. 24.

After de novo review of the record of this matter together with the Report and Recommendation and the timely objections thereto, the following order is entered:

AND NOW, this 29<sup>th</sup> day of March, 2017, it is  
ORDERED that the petitioner's petition for a writ of  
habeas corpus is denied. A certificate of appealability should not  
be issued unless the petitioner "has made a substantial showing of  
the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). A  
certificate of appealability is denied. The Report and  
Recommendation is adopted as the opinion of the Court. The Clerk  
shall mark this matter closed.

BY THE COURT:



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KIM R. GIBSON,  
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

Lewis Boggs JY-1181  
S.C.I. Mahanoy  
301 Morea Road  
Frackville, PA 17932